

Message

From: Fogarty, Johnpc [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=8546B387C687410D88EEEE387DADDF56-JFOGAR02]
Sent: 9/29/2016 3:23:49 PM
To: Welles, Laura [Welles.Laura@epa.gov]
Subject: RE: Whole Foods

If you're ok with it (and make any other edits/changes you think would be good), then let 'er rip!

From: Welles, Laura
Sent: Thursday, September 29, 2016 11:18 AM
To: Fogarty, Johnpc <Fogarty.Johnpc@epa.gov>
Subject: RE: Whole Foods

Looks good – thank you. I think it sets a good tone.

Ex. 5 AC/AWP/DP

Once I get the go ahead from you, I'll send out the revised email (below with your edits) to WFM.

From: Fogarty, Johnpc
Sent: Thursday, September 29, 2016 11:02 AM
To: Welles, Laura <Welles.Laura@epa.gov>
Subject: RE: Whole Foods

Thanks. See what you think of the following suggestion for reworking it a bit –

Ex. 5 AC/AWP/DP

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John and Jenn:

Thank you for meeting with us earlier this week to begin the dialogue on crafting a national settlement with Whole Foods Market (WFM). As a first step, John Fogarty and I would like to set up a conference call for early next week to discuss both the corporate structure of WFM, including its affiliated companies (i.e., parent, subsidiaries and related corporations), as well as the organizational structure of WFM and its affiliated companies, including hierarchy, regional divisions, and the structure within each regional division. Any materials on this that you can share would be particularly helpful. We want to make sure that the agreement's provisions will cover the relevant corporate entities for purposes of national settlement. In addition, it would be helpful to provide a list of all WFM affiliated stores (excluding those covered by the Region 6 CAFO), organized by state in a format similar to the Appendix in the Region 6 CAFO.

Time permitting (or if not during this call, during a second one shortly thereafter), we would also like to hear a more detailed description of the

Ex. 4 CBI

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We are also interested in learning more about the training and guidance materials associated with WFM's hazardous waste management program (e.g., employee training, hazardous waste determination guidance charts, etc.). This will help us

to draft settlement provisions that will reflect WFM's current and planned practices for monitoring, controlling, and ensuring that appropriate hazardous waste management practices are followed at all of its stores nationwide.

We will also need to set aside some time soon to talk about potential SEP ideas. Ordinarily we don't discuss SEPs until late in the negotiation process, but in order to try and expedite things, in this case we think it probably makes sense to start that discussion earlier.

Please send me some dates and times that you are available next week for a conference call regarding the above items. Once I hear from you, I'll coordinate with John to set up a meeting. In the meantime, let me know if you have any questions.

Laura

From: Welles, Laura

Sent: Thursday, September 29, 2016 10:17 AM

To: Fogarty, Johnpc <Fogarty.Johnpc@epa.gov>

Cc: Crossland, Andy <Crossland.Andy@epa.gov>; Saenz, Diana <Saenz.Diana@epa.gov>

Subject: Whole Foods

John – Below is a draft email to WFM re: the items we discussed yesterday. Please review, edit, etc. and get back to me with any questions.

Just as an FYI, WFM did submit two training/guidance materials (attachments A & B) with their response to R6's 3007 – both were declared CBI and contain the HW determination chart I mention below in item 3, as well as a power point presentation on WFM's HW management program that was presented to all WFM stores in the southwest. When I touch base with Marcia early next week, I'll see about getting the attachments via CBI protocol.

Laura

John and Jenn:

Ex. 5 AC/AWP/DP

Please send me some dates and times that you are available next week for a conference call regarding the above items. Once I hear from you, I'll coordinate with John to set up a meeting. In the meantime, let me know if you have any questions.

Laura

Laura Welles
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